

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 3:06CR415

UNITED STATES OF AMERICA

VS.

PAUL OSUJI

TAMARA VARNADO

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ORDER

THIS MATTER is before the Court on the Government's request for sequestration of witnesses contained in its trial brief.¹ **Government's Trial Brief, filed December 17, 2007, at 36.** Specifically, the Government requests that, except for Government case agents, all "potential witnesses for both the Government and the defense be excluded from the courtroom and prohibited from discussing the evidence introduced during the trial."

Id.

At the request of a party the court shall order witnesses excluded so that they cannot hear the testimony of other witnesses This rule does not authorize exclusion of . . .

¹ The Government is advised that such requests should be filed as motions, separate and apart from the trial briefs.

an officer or employee of a party which is not a natural person designated as its representative by its attorney.

Fed. R. Evid. 615.

IT IS, THEREFORE, ORDERED that the Government's request for sequestration of witnesses is **ALLOWED**.

IT IS FURTHER ORDERED that, excluding the Government's case agents, all witnesses for the Government and the defense must remain outside the courtroom during any and all court proceedings in this case until they are called to testify. Counsel are directed to make clear to their respective witnesses that, on penalty of contempt, they may not discuss any proceedings taking place in the courtroom until after they have completed their testimony. Once their testimony is complete, they may remain in the courtroom if they wish, but they may not discuss the court proceedings with any potential witnesses who have yet to testify.

Signed: December 19, 2007



Lacy H. Thornburg
United States District Judge

